

REMARKS/ARGUMENTS

STATUS OF THE CLAIMS.

Claims 26-36 are currently pending in the application. Claims 1 through 25 were previously cancelled. Applicants herein amend claim 26 in compliance with the Examiner's helpful suggestion.

35 U.S.C. §112 2ND PARAGRAPH.

Claims 26-36 were rejected in the prior Office Action under 35 U.S.C. §112 2nd paragraph as allegedly being indefinite. More specifically, the Office Action alleged that the "recitation is indefinite because the phrase "a plus sense" appears to be incomplete and because it [sic] unclear as to whether or not the said plus sense refers to a DNA sequence or RNA sequence."

After telephonic conversations with the Examiner (on June 1 and June 3, 2004) regarding claim 26, and as per his suggestion, Applicants herein amend such claim to remove the comma between "plus sense" and "RNA viral replication." Such change is solely for grammatical clarification and to remove any alleged unclarity in meaning. No new matter is added to the claim by the change and Applicants respectfully request its entry. As per the Examiner's comments on June 1 and June 3, 2004, the current amendment removes any alleged indefiniteness, thus, withdrawal of the rejection is respectfully requested.

CLAIM REJECTION – OBVIOUSNESS TYPE DOUBLE PATENTING

Claims 26-36 were also rejected in the prior Office Action under the nonstatutory double patenting doctrine. The claims, in various groupings, were rejected in light of US Pat. No. 5,889,191; US Pat. No. 6,462,255; US Pat. No. 5,965,794; and US Pat. No. 5,811,653. Applicants herewith submit terminal disclaimers for such patents. Because of such terminal disclaimers, Applicants respectfully request that the rejections be withdrawn.

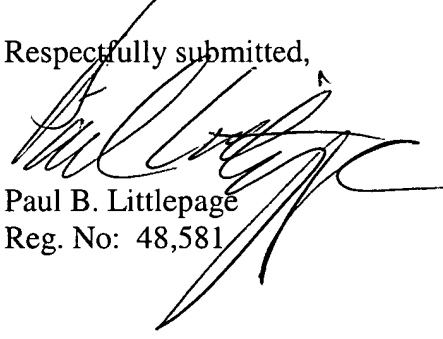
Application No.: 09/930,329
Response. Dated March 9, 2004
Reply to Office action of June 8, 2004

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3507.

QUINE INTELLECTUAL PROPERTY LAW
GROUP, P.C.
P.O. BOX 458
Alameda, CA 94501
Tel: 510 337-7871
Fax: 510 337-7877

Respectfully submitted,



Paul B. Littlepage
Reg. No: 48,581

ATTACHMENTS:

- 1) A Transmittal Form;
- 2) Four Terminal Disclaimers; and,
- 3) A Receipt Indication Postcard.